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09/812,438	03/20/2001	Tomohiro Miyahira	JP920000102	9865

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EXAMINER	
DINH, KHANH Q	

ART UNIT	PAPER NUMBER
2151	

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/812,438	MIYAHIRA, TOMOHIRO	
	Examiner	Art Unit	
	Khanh Dinh	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 December 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *9/17/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This is in response to the Remarks filed on 12/22/2004. Claims 1-16 and new claims 17-28 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-7, 11-16 and 17-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Hobbs et al. (hereafter Hobbs), U.S. pat. No.5,987,454.

As to claim 1, Hobbs discloses a network system comprising:

a client (204 fig.4) for browsing web pages and a server (document server 202 fig.4) for providing a function to perform a predetermined process for said web pages (providing web requests to clients, see col.13 line 66 to col.14 line 24).

a web server (server 211 fig.4) for storing a web page (web documents) that includes a function execution request object (request headers) which is used to request that a process be performed by said function providing server, wherein said client obtains (receiving request headers) from said web server (server 211 fig.4), said web page that includes said function execution request object (see col.14 line 25 to col.16 line 2).

when said function execution request object included in said web page is selected, said client designates the storage location (selecting a data warehouse 230 fig.4 for the requests) for a target web page and transmits a process execution request to said function providing server (see col.15 lines 3-28).

wherein, upon the receipt of said process execution request from said client, said function providing server obtains said target web page based on said storage location (data warehouse 230 fig.4) that is designated by said process execution request, performs a pertinent process for said target web page (web documents) that is obtained and returns the resultant web page to said client that issued said process execution request (sending back to clients' browsers the web documents, see fig.5, col.15 lines 29-63 and col.16 line 34 to col.17 line 32).

As to claim 2, Hobbs discloses that when issuing said process execution request (executing CGI applications), said client designates the type of process (a menu of choices to be displayed) to be performed, and said function providing server performs said designated process for an obtained web page (see col.16 lines 21-59 and col.17 lines 2-31).

As to claim 3, Hobbs discloses that when said obtained web page is linked with another web page (linking frames with the HTM: documents), said function providing server also obtains a web page at a linking destination and performs a process for said obtained web page (see fig.8, col.18 line 49 to col.19 line 53 and col.24 lines 23-51).

As to claim 5, Hobbs discloses a server (211 fig.4), for receiving an execution request from a

client (203 fig.4) and for performing a predetermined function in consonance with said execution request, comprising:

a command analyzer (proxy server 207 fig.4) for, in response to the selection of a function execution request object that is included in a web page displayed by said client (203 fig.4) and that is used to request that said server execute a process, accepting and analyzing an execution request that is received by said server and that includes information concerning a storage location (230 fig.4) for a target web page that is to be processed (providing web requests to clients, see col.13 line 66 to col.14 line 24).

a web page acquisition unit (document server 202 fig.4) for obtaining said target web page based on said information that is included in said execution request concerning said storage location (230 fig.4) for said target web page (see col.14 line 25 to col.15 line 28).

a web page converter (using a gateway is any application program that receives data from a browser or other HTTP server converts it into a form the database can understand) for performing a predetermined conversion process for said target web page that is obtained (see fig.5, col.13 lines 41-65 and col.15 lines 29-57).

As to claim 6, Hobbs discloses a transmission unit for returning, to said client, the resultant web page obtained by the performance of said conversion process (preparing and providing HTML documents for publication on the World Wide Web, see fig.5, col.15 line 29 to col.16 line 34).

As to claim 7, Hobbs discloses that said obtained web page is linked with another web page, said web page acquisition unit also obtains a web page at a linking destination and wherein said web

page converter performs said predetermined conversion process (converting into appropriate forms) for said web page at said linking destination that is obtained by said web page acquisition unit (see fig.5, col.15 line 29 to col.16 line 59 and col.24 lines 13-51).

As to claim 11, Hobbs discloses a web server (document server 202 fig.4), for storing a web page that is browsed by means of a communication network, comprises:

storage means (230 fig.4) for storing a web page, including both a description of a URL for a function providing server (202 fig.4), which performs a translating process for a web page, and a description of an option for obtaining a URL for a web page that is inserted into said web server (202 fig.4) (providing web requests to clients, see col.13 line 66 to col.14 line 24), the translating process configured to translate, at least in part, the web page from a first language to a second language (receiving data from a browser or other HTTP server and converting it into a form the database can understand, see fig.3, col.13 lines 18-65 and col.15 lines 29-66).

and communication control means (211 fig.4) for accepting a request to browse a web page and for returning said web page to the source that transmitted said request (sending back to clients' browsers the web documents, see fig.5, col.15 lines 29-63 and col.16 line 34 to col.17 line 32).

As to claim 12, Hobbs discloses a web page (fig.7) comprising:

a first script (frame 400 fig.7 containing HTML codes which call for documents), for displaying a function execution request object on a web page (seefig.7, col.17 line 49 to col.18 line 31).

and a second script (, performed in response to the selection of said function execution request object on said web page, which is displayed by predetermined display means (frames display), for obtaining the URL of said web page and for transmitting the URL (transmitting HTML documents or hyperlinks to clients according to their requests) to a function providing server (proxy server) that has been registered in advance (see col.18 line 32 to col.19 line 39).

As to claim 13, Hobbs discloses a data processing method for receiving an execution request from a client and for performing a predetermined process in consonance with the execution request comprising the steps of:

analyzing, in response to the selection of a function execution request object that is included in a web page displayed by said client and that is used to request that said server execute a process, an execution request that is received by said server and that includes information concerning a storage location for a target web page that is to be processed (providing web requests to clients, see col.13 line 66 to col.14 line 24).

obtaining said target web page based on the information, which is included in said execution request, concerning said storage location for said target web page (see col.14 line 25 to col.15 line 28) and performing a predetermined conversion process for said target web page that is obtained (using a gateway is any application program that receives data from a browser or other HTTP server converts it into a form the database can understand) (see fig.5, col.13 lines 41-65 and col.15 lines 29-57).

wherein the predetermined conversion process includes a translating process configured to translate, at least in part, the web page from a first language to a second language (receiving

data from a browser or other HTTP server and converting it into a form the database can understand, see fig.3, col.13 lines 18-65 and col.15 lines 29-66).

As to claim 14, Hobbs discloses storage medium on which input means of a computer stores a computer-readable program, which permits said computer to perform:

analyzing, in response to the selection of a function execution request object that is included in a web page displayed by said client and that is used to request that said server execute a process, an execution request that is received by said server and that includes information concerning a storage location for a target web page that is to be processed (providing web requests to clients, see col.13 line 66 to col.14 line 24).

obtaining said target web page based on the information, which is included in said execution request, concerning said storage location for said target web page (see col.14 line 25 to col.15 line 28) and performing a predetermined conversion process for said target web page that is obtained (using a gateway is any application program that receives data from a browser or other HTTP server converts it into a form the database can understand, see fig.5, col.13 lines 41-65 and col.15 lines 29-57).

As to claim 15, Hobbs discloses a storage medium on which input means of a computer stores a script written in a source of a web page, said script includes:

a first script (frame 400 fig.7 containing HTML codes which call for documents), for displaying a function execution request object on a web page (see fig.7, col.17 line 49 to col.18 line 31).

and a second script, performing in response to the selection of said function execution request object on said web page, which is displayed by predetermined display means (frames display), for obtaining the URL of said web page and for transmitting the URL (transmitting HTML documents or hyperlinks to clients according to their requests) to a function providing server (proxy server) that has been registered in advance (see col.18 line 32 to col.19 line 39).

As to claim 16, Hobbs discloses a program transmission apparatus comprising:

storage means for storing a first script (frame 400 fig.7 containing HTML codes which call for documents), for displaying a function execution request object on a web page (see fig.7, col.17 line 49 to col.18 line 31).

and a second script, performed in response to the selection of said function execution request object on said web page, which is displayed by predetermined display means (frames display), for obtaining the URL of said web page and for transmitting the URL (transmitting HTML documents or hyperlinks to clients according to their requests) to a function providing server (proxy server) that has been registered in advance and transmission means for reading said first and said second scripts from said storage means and for transmitting said first and said second scripts (see col.18 line 32 to col.19 line 39 and col.20 lines 9-67).

As to claim 18, 20, 22, 24, 26 and 28 Hobbs discloses the execution request object includes an indicia of a first language and a second language and the pertinent process includes a translating process to translate at least in part the web page from the first language to the second language (using a gateway is any application program that receives data from a browser or other HTTP

server converts it into a form the database can understand, see fig.5, col.13 lines 41-65 and col.15 lines 29-57).

As to claims 17, 19, 21, 23, 25 and 27, Hobbs further discloses the function execution request object is one of a button, a banner a linking keyword, and an image data (implementing servers to insert a various types of content such as words, video data, images and sentences into a web document, see Hobbs' fig.5, col.15 lines 29-63).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 4 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hobbs in view of Gabbard et al.(hereafter Gabbard), U.S. Pat. No.6,205,432.

As to claim 4, Hobbs' teachings still applied as in item 3 above. Hobbs further suggests servers to insert a various types of content such as words, video data, images, sentences into a web document (see Hobbs' fig.5, col.15 lines 29-63). Hobbs does not specifically disclose inserting predetermined advertisement contents. However, Gabbard in the same web services environment discloses inserting predetermined advertisement contents (advertisement is inserted into the message and stored at server, see fig.5, col.10 line 27 to col.11 line16). It would have

been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Gabbard's feature into the computer system of Hobbs to process users' requests because it would have allowed users to insert into an end user communication message into the background reference after receiving the original message sent from an end user and before sending the message to be delivered to an end user (see Gabbard's col.4 lines 12-36).

As to claim 8, Hobbs discloses conversion process for said target web page that is obtained (using a gateway is any application program that receives data from a browser or other HTTP server converts it into a form the database can understand) (see fig.5, col.13 lines 41-65 and col.15 lines 29-57). Hobbs further suggests servers to insert a various types of content such as words, video data, images, sentences into a web document (see Hobbs' fig.5, col.15 lines 29-63). Hobbs does not specifically disclose inserting predetermined advertisement contents. However, Gabbard in the same web services environment discloses inserting predetermined advertisement contents (advertisement is inserted into the message and stored at server, see fig.5, col.10 line 27 to col.11 line16). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Gabbard's feature into the computer system of Hobbs to process users' requests because it would have allowed users to insert into an end user communication message into the background reference after receiving the original message sent from an end user and before sending the message to be delivered to an end user (see Gabbard's col.4 lines 12-36).

As to claim 9, Hobbs discloses that the content type based on the type of processing that said web page converter performs for said web page conversion process (using a gateway is any application program that receives data from a browser or other HTTP server converts it into a form the database can understand) (see fig.5, col.13 lines 41-65 and col.15 lines 29-57). Hobbs further suggests servers to insert a various types of content such as words, video data, images, sentences into a web document (see Hobbs' fig.5, col.15 lines 29-63). Hobbs does not specifically disclose inserting predetermined advertisement contents. However, Gabbard in the same web services environment discloses inserting predetermined advertisement contents (advertisement is inserted into the message and stored at server, see fig.5, col.10 line 27 to col.11 line16). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Gabbard's feature into the computer system of Hobbs to process users' requests because it would have allowed users to insert into an end user communication message into the background reference after receiving the original message sent from an end user and before sending the message to be delivered to an end user (see Gabbard's col.4 lines 12-36).

As to claim 10, Hobbs discloses that the content type based on a keyword that is extracted from said web page (using keywords to help people to search tips, see col2 lines 25-51 and col.15 lines 29-57). Hobbs further suggests servers to insert a various types of content such as words, video data, images and sentences into a web document (see Hobbs' fig.5, col.15 lines 29-63). Hobbs does not specifically disclose inserting predetermined advertisement contents. However, Gabbard in the same web services environment discloses inserting predetermined advertisement

contents (advertisement is inserted into the message and stored at server, see fig.5, col.10 line 27 to col.11 line16). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Gabbard's feature into the computer system of Hobbs to process users' requests because it would have allowed users to insert into an end user communication message into the background reference after receiving the original message sent from an end user and before sending the message to be delivered to an end user (see Gabbard's col.4 lines 12-36).

Response to Arguments

6. Applicant's arguments filed on 12/22/2004 have been fully considered but they are not persuasive.

- Applicant assert that the request headers in the Hobbs reference are not comparable to function requests recited in claim 1 as the claimed limitation included in a web page can be a button, a banner, a linking keyword, or image, etc.. as in the specification (see the specification's page 5, lines 1-3).

Examiner respectfully point out that only claimed subject matter, not the specification is the measure of the invention. Limitations in the specification cannot be read into the claims for the purpose of avoiding the prior art. See In re Self, 213 USPQ 1,5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978). The Examiner has a duty and responsibility to the public and to Applicant to interpret the claims as broadly as reasonably possible during prosecution (see In re Prater, 56 CCPA 1381, 415 F.2d 1393, 162 USPQ 541 (1969)). In the claim, Applicant merely claims "a function execution request". Hobbs discloses generating

request headers to specify the purpose of the request (see col.14 line 25 to col.16 line 2). This is equivalent to what is claimed.

Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 5, 11 and 13-16.

Claims 2-4, 6-10, 12 and 17-28 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in the previous office action. Accordingly, claims 1-28 are respectfully rejected.

Conclusion

7. Claims 1-28 are rejected.

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (703) 272-3939. The fax phone number for this group is (703) 872-9306.

A shortened statutory period for reply is set to expire THREE months from the mailing date of this communication. Failure to response within the period for response will cause the application to become abandoned (35 U. S. C . Sect. 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(A).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIRI system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh Dinh
Patent Examiner
Art Unit 2151
4/3/2005

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER